

15 April 2013**Agenda Item: 4****REPORT OF THE SERVICE DIRECTOR, EDUCATION STANDARDS AND
INCLUSION****UNDER 16 HOME TO SCHOOL TRANSPORT POLICY 2013 AND POST 16
TRANSPORT POLICY 2013/2014****Purpose of the Report**

1. The purpose of this report is to seek approval for proposed amendments to the:
 - a) Under 16 Home to School Transport Policy 2013
 - b) Post 16 Transport Policy 2013/2014.

Information and Advice

2. Nottinghamshire County Council is required to publish its Under 16 Home to School Transport Policy and the Post 16 Transport Policy in accordance with the Education and Inspections Act 2006 which built on provisions in the 1996 Act. Where amendments are proposed, these must be subject to consultation and the agreed new policy published by 31 May each year. The proposed amendments to the policies are outlined below. Copies of the proposed Policies are available as background papers.

Under 16 Home to School Transport Policy 2013

3. The Under 16 Home to School Transport Policy sets out the County Council's provision of school transport services and travel assistance for pupils aged 4-16. It sets out the criteria for:
 - eligibility for travel assistance
 - how parents/carers may apply
 - how decisions are made
 - the type of assistance that may be available
 - how parents/carers may appeal against decisions they are unhappy with.
4. There is one amendment to the Under-16 Home to School Transport Policy which is a clarification on existing practise.

- Section 6.8 Review of Transport decisions

The Home to School Transport appeals procedure was not fully articulated in the policy. The proposed amendment details the appeals procedure in full. Please note that the appeals procedure has not changed.

Post 16 Transport Policy 2013/2014 Academic Year

5. The Post 16 Transport Policy consists of a travel scheme which aims to enable post-16 students to access education. The scheme is available to all Nottinghamshire County residents that meet the qualifying criteria. Where the County Council determines that student has a special transport need this will be provided.

6. The Post 16 Transport Policy for the Academic Year 2013/2014 has two amendments.

- Raising of the Participation Age (RPA)

The participation age in education or training for young people is due to be increased to 17 from the 2013/14 academic year and 18 from the 2014/15 academic year. As part of this change the Government has changed the definition of full-time study for the purposes of funding courses of further education from 450 to 540 guided learning hours per year. Nottinghamshire County Council proposes to include this new definition in the post-16 transport policy.

- Provisions for young people in a residential care setting

The following paragraph has been added to the policy to reflect the funding arrangements currently in place:

Where a student with special transport needs is placed in a residential care setting, including independent living, transport costs will be shared on a 50/50 basis with either Children's Social Care or Adult Social Care, as appropriate.

Consultation process and responses

7. Public consultation on the changes to the Under 16 Home to School Transport Policy and the Post 16 Transport Policy were undertaken from Monday 28 January 2013 to Friday 1 March 2013. The current and revised policies together with a summary of changes were available on the Nottinghamshire County Council website during the consultation period.
8. Additional engagement on the amendments to the policies was undertaken prior to and during the public consultation period with key stakeholders.
9. No responses were received during the public consultation period.

Other Options Considered

10. The Under 16 Home to School Transport Policy and the Post 16 Transport Policy underwent a thorough overhaul in 2011 for the academic year 2011/2012. It was agreed

that no major changes were required for the 2013/2014 academic year other than clarifications and the amendment to reflect the change in participation age.

Reason/s for Recommendation/s

11. It is a requirement that the local authority reviews the Under 16 Home to School Transport Policy and the Post 16 Transport Policy each year. The two policies have been reviewed and amended for the reasons stated in the report. The proposed policies meet the statutory requirements of the local authority to provide transport to pupils and students in Nottinghamshire.

Statutory and Policy Implications

12. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for service users

13. Students applying for post 16 transport will need to fulfil the criteria of studying on a full time course, the hours of which are currently 450 guided learning hours but which may be increased by the Government to 540 hours. It is not anticipated that the effect on service users will be significant as many current courses either meet or exceed the longer study requirement.

Financial implications

14. There are no anticipated additional costs relating to the proposed changes to the Under 16 Home to School Transport Policy and the Post 16 Transport Policy.

Equality Implications

15. As part of the process of making decisions and changing policy, public authorities are required by law to think about the need to:
 - Eliminate unlawful discrimination, harassment and victimisation.
 - Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who do not.
 - Foster good relations between people who share protected characteristics and those who do not.
16. Equality Impact Assessments (EIAs) are a means by which a public authority can assess the potential impact that proposed decisions / changes to policy could have on the community and those with protected characteristics. They may also identify potential ways to reduce any impact that a decision / policy change could have. If it is not possible to reduce the impact, the EIA can explain why. Decision makers must understand the potential implications of their decisions on people with protected characteristics.

17. An EIA has been undertaken and is available as a background paper. Decision makers must give due regard to the implications for protected groups when considering this report.

Human Rights Implications

18. The provisions of the Equality Act 2010 and the European Convention on Human Rights are recognised throughout and in particular in sections relating to Special Educational Needs and Disability.

RECOMMENDATION/S

That:

- 1) the revised Under 16 Home to School Transport Policy 2013 be approved
- 2) the revised Post 16 Transport Policy 2013/2014 be approved.

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Constitutional Comments (LM 19/03/13)

19. The Children and Young People's Committee has delegated authority within the Constitution to approve the recommendations in the report.

Financial Comments (KLA 18/03/13)

20. There are no financial implications arising directly from this report.

Background Papers

Under 16 Home to School Transport Policy 2013
Post 16 Transport Policy 2013/2014
Equality Impact Assessment

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All.
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